

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

DEBORAH YOUKERS,

Plaintiff,

v.

CIVIL ACTION NO. 3:12-9651

CAROLYN W. COLVIN,  
Acting Commissioner of the  
Social Security Administration,

Defendant.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court deny Plaintiff's motion for judgment on the pleadings as articulated in her Brief in Support of Judgment on the Pleadings (ECF No. 11), grant Defendant's motion for judgment on the pleadings as set forth in her Brief in Support of Defendant's Decision (ECF No. 12), dismiss this action, with prejudice, and remove it from the docket of this Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DENIES** Plaintiff's motion for judgment on the pleadings as articulated in her Brief in Support of Judgment on the Pleadings (ECF No. 11), **GRANTS**

Defendant's motion for judgment on the pleadings as set forth in her Brief in Support of Defendant's Decision (ECF No. 12), **DISMISSES** this action, **with prejudice**, and **REMOVES** it from the docket of this Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: March 7, 2014

  
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ROBERT C. CHAMBERS, CHIEF JUDGE